

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROUBEN PAPIKIAN,

Defendant.

Case No. 2:09-CR-00217-KJD-PAL

ORDER

Presently before the Court is Defendant Rouben Papikian's Motion for Return of U.S. Passport (#63). The government responded (#64), and Defendant replied (#65).

I. Background

Defendant pled guilty to Possession With Intent to Distribute Methylenedioxymethamphetamine (#58). As a condition of release, he surrendered his passport. Defendant now moves for the release of his U.S. Passport to his attorney. Defendant argues that his family is addressing an unspecified immigration issue, and needs the passport to demonstrate proof of Defendant's U.S. citizenship. Alternatively, Defendant moves for the release of his U.S. Passport to the United States Probation Office.

1 The government recommends releasing the passport to the Department of Homeland
2 Security, Homeland Security Investigations (HSI), to facilitate any removal proceedings. However,
3 Government counsel was advised by HSI agents that Defendant does not have any currently ongoing
4 review of his immigration status. The government alternatively requests that the Court order the
5 Pretrial Service's Office to release Defendant's passport to the United States Probation Office. The
6 government contends that either solution would decrease the defendant's ability to flee during the
7 six-month period between release from his custodial facility and commencement of his supervised
8 release with the U.S. Probation Office. It is the general policy of Bureau of Prisons to release federal
9 prisoners six months prior to the end of their term of imprisonment to live in a halfway house in
10 order to help facilitate reintegration back into society.

11 **II. Discussion**

12 Defendant fails to substantiate his family's need for the passport. Further, HSI is not
13 reviewing Defendant's immigration status at this time. Accordingly, releasing Defendant's passport
14 to the U.S. Probation Office will satisfy the interests of both parties.

15 **III. Conclusion**

16 **IT IS HEREBY ORDERED** that **Pretrial Services** release Defendant's U.S. Passport to the
17 U.S. Probation Office.

18 **IT IS SO ORDERED.**

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20 DATED this 17th day of June 2013.

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Kent J. Dawson
United States District Judge